

# Fiscal Note

*Fiscal Services Division*



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**HF 2372** – Assault Without Intent to Inflict Serious Injury (LSB 5214HV)  
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Fiscal Note Version – New  
Requested by Representative Wayne W. Ford

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## **Description**

**House File 2372** modifies the provisions related to an assault causing serious injury. The offense is a non-forcible felony and is not subject to a mandatory minimum prison sentence.

## **Background**

### **Correctional and Fiscal Information**

- Current law provides for a graduated system of penalties for assault, ranging from a simple misdemeanor to a Class C felony.
- There were 31 offenders convicted of assault causing serious injury in FY 2009. Of these, 19 were admitted to prison and 12 were admitted to probation.
- The marginal cost per day for prison is \$18.29.
- The average daily cost for probation is \$3.64.

### **Minority Data Information**

- For the 19 offenders sentenced to prison in FY 2009, 14 were white (73.7%), four were black (21.1%), and one was Hispanic (5.2%).
- The U.S. Census estimate for Iowa was 3.0 million people as of July 1, 2008 (the most current estimates available). Men comprise 49.3% of the population. Approximately 92.0% of Iowa's population is white. The composition of the remaining 8.0% is: 3.2% black, 0.3% American Indian or Alaska Native; 1.7% Asian; and 2.8% is of two or more races or unknown.
- Iowa's prison population was 8,454 offenders on June 30, 2009. Men comprise 92.1% of the population. According to the Criminal and Juvenile Justice Planning Division (CJJPD) of the Department of Human Rights, the racial composition of the prison system was: 71.4% white; 25.8% black; 0.9% Asian or Pacific Islander; and 1.9% American Indian or Alaska Native. Included in these racial groups were 6.7% that identified themselves as Hispanic (nearly all of whom identified themselves racially as being white).
- According to the CJJPD, on June 30, 2009, approximately 7.9% of the offenders in prison were women and 26.5% of offenders under supervision in Community-Based Corrections (CBC) were women. Approximately 21.9% of the total offender population under correctional supervision was women.

## **Assumptions**

**Correctional and Fiscal Information:** The correctional and fiscal impact is not anticipated to be significant. It is not possible to determine how many offenders would be sentenced to probation under the Bill, as compared to those sentenced to prison under current law.

**Minority Data Information:** Approximately 14.0% of Iowa's population has at least one disability. The number of disabled offenders convicted under this Bill may be 14.0%.

## **Summary of Impacts**

**Correctional Impact:** The correctional impact is not anticipated to be significant.

**Minority Impact:** To the extent this Bill results in fewer sentences to prison, there may be a slight reduction in minority confinement. That reduction is not anticipated to be significant. Offenders would be under correctional supervision in the community rather than the prison system.

**Fiscal Impact:** The fiscal impact is not anticipated to be significant.

## **Sources**

Department of Human Rights, Criminal and Juvenile Justice Planning Division  
Department of Corrections

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February 15, 2010

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The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the correctional and minority impact statements were prepared pursuant to [Section 2.56](#), [Code of Iowa](#). Data used in developing this fiscal note, including correctional and minority impact information, is available from the Fiscal Services Division of the Legislative Services Agency upon request.

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